

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Bill No. 07-47 As Amended

Introduced by: Council Member Shrodes and Council President Boniface at the request of the County Executive

Legislative Day No. 07-29 Date: October 16, 2007

AN ACT to repeal and reenact Subsection D, Landscaping and fencing requirements, of Section 267-28, Buffer yards, of Article V, Supplementary Regulations, of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended; to establish certain buffer yard requirements for sanitary landfills; to require that certain screening be used for sanitary landfills under certain circumstances; and generally relating to buffer yards.

By the Council, October 16, 2007

Introduced, read first time, ordered posted and public hearing scheduled

on: November 20, 2007

at: 6:30 p.m.

By order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 20, 2007, and concluded on November 20, 2007.

Barbara J. O'Connor Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

1 Section 1. Be It Enacted By the County Council of Harford County Maryland, that
2 Subsection D, Landscaping and fencing requirements, of Section 267-28, Buffer yards, of
3 Article V, Supplementary Regulations, of Part 1, Standards, of Chapter 267, Zoning, of
4 the Harford County Code, as amended, be, and it is hereby repealed and reenacted, with
5 amendments, to read as follows:

6 Chapter 267. Zoning.

7 Part 1. Standards.

8 Article V. Supplementary Regulations.

9 Section 267-28. Buffer yards.

10 D. Landscaping and fencing requirements. A buffer yard shall be landscaped to
11 screen incompatible uses in accordance with any 1 of the following requirements:

12 (1) A planting strip at least 10 feet wide at or near the property line, including trees or
13 shrubs at least 2 feet high at the time of planting, which may be expected to form a year-
14 round screen within 3 years.

15 (2) A landscaped, rolling, earth mound of at least 4 feet in height.

16 (3) A solid fence or walls of a minimum of 5 feet in height without advertising, when
17 designed with durable materials, texture and colors compatible with adjacent uses.

18 (4) Sanitary landfill requirements.

19 (a) {An undisturbed} A buffer area shall be maintained between the fill area and
20 adjoining properties. The {undisturbed} buffer area shall be designed to adequately screen
21 the landfill activities from the view of adjoining properties. ~~IF THE EXISTING~~
22 ~~VEGETATION WITHIN THE BUFFER AREA DOES NOT ADEQUATELY SCREEN~~
23 ~~THE LANDFILL ACTIVITIES, A LANDSCAPED EARTH BERM SHALL BE~~

1 ~~CONSTRUCTED WITHIN THE BUFFER AREA TO PROVIDE ADEQUATE~~
2 ~~SCREENING.~~ The [undisturbed] buffer area shall be a minimum of 200 feet from
3 adjoining property [lines.] LINES, NOT INCLUDING PROPERTIES OWNED BY THE
4 ENTITY OPERATING THE LANDFILL. The distance shall be determined by the
5 County Council after a site plan is developed by the Departments of Planning and Zoning
6 and Public Works. The site plan shall consider and address the topography of the area,
7 the ability to effectively screen the landfill area and such other factors as the Departments
8 of Planning and Zoning and Public Works and the County Council deem relevant in
9 conformity with § 267-9I, Limitations, guides and standards.

10 [(b) The Department of Public Works shall cause, prior to submission of the site plan
11 to the County Council, a notice to be published once a week for 2 consecutive weeks in 2
12 newspapers of general circulation in the county. The notice shall identify the location of
13 the site, the acreage and a physical description of the site.]

14 (b) AN UNDISTURBED BUFFER AREA OF 1000 FEET SHALL BE MAINTAINED
15 BETWEEN THE FILL AREA AND THE BANKS OF THE DEER CREEK.

16 (c) FOR ANY LANDFILL OR LANDFILL EXPANSION RECEIVING
17 A PERMIT FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT
18 AFTER THE EFFECTIVE DATE OF THIS ACT, A MINIMUM BUFFER AREA OF
19 500 FEET SHALL BE MAINTAINED BETWEEN THE FILL AREA AND ANY
20 ADJOINING RESIDENTIAL PROPERTY LINE, NOT INCLUDING PROPERTIES
21 OWNED BY THE ENTITY OPERATING THE LANDFILL. THE BUFFER AREA
22 SHALL BE DESIGNED TO ADEQUATELY SCREEN THE LANDFILL ACTIVITIES
23 FROM THE VIEW OF ADJOINING RESIDENTIAL PROPERTIES. IF THE


1 EXISTING VEGETATION WITHIN THE BUFFER AREA DOES NOT
2 ADEQUATELY SCREEN THE LANDFILL ACTIVITIES, A LANDSCAPED EARTH
3 BERM SHALL BE CONSTRUCTED WITHIN THE BUFFER AREA TO PROVIDE
4 ADEQUATE SCREENING. THE DISTANCE SHALL BE DETERMINED BY THE
5 COUNTY COUNCIL AFTER A SITE PLAN IS DEVELOPED BY THE
6 DEPARTMENTS OF PLANNING AND ZONING AND PUBLIC WORKS. THE SITE
7 PLAN SHALL CONSIDER AND ADDRESS THE TOPOGRAPHY OF THE AREA,
8 THE ABILITY TO EFFECTIVELY SCREEN THE LANDFILL AREA AND SUCH
9 OTHER FACTORS AS THE DEPARTMENTS OF PLANNING AND ZONING AND
10 PUBLIC WORKS AND THE COUNTY COUNCIL DEEM RELEVANT IN
11 CONFORMITY WITH § 267-9I, LIMITATIONS, GUIDES AND STANDARDS.

12 (d) THE DEPARTMENT OF PUBLIC WORKS SHALL CAUSE, PRIOR TO
13 SUBMISSION OF THE SITE PLAN TO THE COUNTY COUNCIL, A NOTICE TO
14 BE PUBLISHED ONCE A WEEK FOR 2 CONSECUTIVE WEEKS IN 2
15 NEWSPAPERS OF GENERAL CIRCULATION IN THE COUNTY. THE NOTICE
16 SHALL IDENTIFY THE LOCATION OF THE SITE, THE ACREAGE AND A
17 PHYSICAL DESCRIPTION OF THE SITE.

18 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from
19 the date it becomes law.

EFFECTIVE: February 11, 2008

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately
available for distribution to the public and the
press.*



Council Administrator

BILL NO. 07-47
(As Amended)

HARFORD COUNTY BILL NO. 07-47 As Amended

Brief Title Zoning – Landfill Buffers

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. O'Connor
Council Administrator

Date December 4, 2007

ENROLLED

Bill Bonner
Council President

Date December 4, 2007

BY THE COUNCIL

Read the third time.

Passed: LSD 07-34

Failed of Passage: _____

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5th day of December, 2007 at 3:00 p.m.

Barbara J. O'Connor
Council Administrator

BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date December 11, 2007

BY THE COUNCIL

This Bill No. 07-47 As Amended having been approved by the Executive and returned to the Council, becomes law on December 11, 2007.

EFFECTIVE DATE: February 11, 2008

Barbara J. O'Connor
Barbara J. O'Connor Council Administrator

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